

**MINUTES OF A REGULAR MEETING OF THE BOARD OF NAVIGATION AND  
CANAL COMMISSIONERS OF THE BROWNSVILLE NAVIGATION DISTRICT OF  
CAMERON COUNTY, TEXAS HELD JUNE 16, 2021 AT 5:30 P.M.**

The Board of Navigation and Canal Commissioners of the Brownsville Navigation District of Cameron County, Texas, held a regular meeting on **Wednesday, June 16, 2021 at 5:30 p.m.** The following individuals were present and absent:

**PRESENT:** Sergio Tito Lopez, Chairman  
Esteban Guerra  
John Wood  
John Reed

**ABSENT:** Ralph Cowen

**ALSO PRESENT:** Eduardo A. Campirano, Port Director and CEO  
Daniel Rentfro Jr., District Counsel  
William J. Irwin, Associate District Counsel

**STAFF MEMBERS:** Ariel Chavez  
Jose Herrera  
Lorena Hernandez  
Karina Franco  
Jaime Martinez  
Chief Carlos Garcia  
Michael Davis  
Tony Rodriguez  
Margie Recio  
Janie Velasquez  
Memo Rico  
Jorge Montero  
Rosie Hinojosa  
Martha Gonzalez

**OTHERS PRESENT:** Rev. Andreas Lewis  
Jorge de la Colina  
Reyes Rivera  
Erica Ornelas  
Dr. Jesus Roberto Rodriguez  
Dr. Joanna Kile  
Norma Torres  
JC Echeverria

**1. Meeting Called To Order**

The Chairman called the meeting to order at 5:40 p.m. Reverend Lewis offered a prayer. The

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Chairman then led those present in the Pledge of Allegiance to the United States and Texas flags.

## **2. Public Audience**

No person registered to address the Board.

Mr. Campirano asked that Item 11 - Executive Session be taken out of order.

### **11. Adjourn into Executive Session, as authorized by Subchapter D of Chapter 551 of the Government Code to discuss with attorneys pending or contemplated litigation and matters in which the duty of the attorneys under the Rules of Professional Conduct clearly conflict with Chapter 551; to conduct deliberations regarding real property (§551.072); to deliberate the deployment of security personnel or devices (§551.076); to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee (§551.074); and to conduct deliberations regarding economic development negotiations (§551.087).**

Commissioner Guerra moved to adjourn into executive session, Commissioner Reed seconded, and the motion passed unanimously.

The Chairman then announced that the time was 5:42 p.m., and that the Board would adjourn into executive session.

Commissioner Reed moved to reconvene in open session, Commissioner Wood seconded, and the motion passed unanimously. The Chairman then announced that the time was 6:32 p.m. and that the Board had reconvened in open session.

Commissioner Guerra did not join the meeting after executive session.

## **12. Possible action on matters or items discussed in Executive Session.**

There was none.

The Chairman then continued with the agenda in order.

### **3. Receive Director's Report**

#### **a. Receive Port Monthly Operations Summary Report**

Ms. Hernandez made the report to the Board. Discussion followed.

## **CONSENT AGENDA**

### **4. Consideration and Action on the Following Consent Agenda Items:**

- a. Approval of the Minutes of the Regular Board Meeting of June 02, 2021.
- b. Approval to authorize payments over \$25,000.00:
  1. A&I Custom Manufacturing, LLC, the amount of \$60,778.70, for Bulk Cargo Dock Platforms; and
  2. Foremost Paving, Inc., the amount of \$2,579,532.22, for BND South Port Connector Road Project.

Commissioner Reed moved to approve all consent agenda items, Commissioner Wood seconded,

and the motion passed unanimously.

Mr. Campirano then asked the Board to continue the agenda with Item 6.

**6. Consideration and Action on Assignments, Negotiations, Easements, Subleases, and Contracts in General.**

Ms. Gonzalez addressed the Board regarding the following items:

**1. CVC Construction, Inc. dba Welding Works International (Amendment to Lease)**

CVC Construction, Inc. dba Welding Works International is current lessee under BND #3965 and is requesting an Amendment to their Lease for two additional land spaces adjacent to their current site totaling .37 acre. The physical addresses for both properties are 2750 Everglades and 3090 Everglades (BND Building on this site). The current purpose clause is for Welding and Fabrication, Welding School and Offices. Commissioner Wood moved to approve an amendment to Lease for CVC Construction, Inc. dba Welding Works International, Commissioner Reed seconded, and the motion passed unanimously.

**2. AEP Texas, Inc. (Authority to negotiate)**

AEP Texas, Inc. is a current lessee under BND #2515. Staff is requesting Authority to Negotiate a lease on 6.33 acres of land space along State Hwy 48 which is currently leased by Rio Grande LNG, LLC. The purpose of the lease is for the AEP Pompano Electrical Substation. Commissioner Wood moved to grant Staff Authority to Negotiate a lease with AEP Texas, Inc., Commissioner Reed seconded, and the motion passed unanimously.

**7. Consideration and Action authorizing staff to submit a Maritime Administration Port Infrastructure Development Grant to assist OmniTrax/BRG.**

Mr. Campirano addressed the Board requesting authorization for staff to submit a Maritime Administration Port Infrastructure Development Grant to assist OmniTrax/BRG. OmniTrax/BRG has approached the Port of Brownsville for assistance in the submission of a Port Infrastructure Development Grant. The grant would be submitted by the Port of Brownsville, but OmniTrax/BRG will assume full responsibility for all financial obligations should we be successful in securing a grant. OmniTrax/BRG has hired a professional grant writer to assist the Port Staff in the preparation and submission of the grant. The total amount of the Project Improvements is approximately \$7.5 million of which 50% could be awarded under the grant. The balance of the project costs would be borne by OmniTrax/BRG. Commissioner Reed moved to authorize the submission of a grant application to the MARAD Administration Port Infrastructure Development Grant Program, Commissioner Wood seconded, and the motion passed unanimously.

**8. Consideration and Action to approve Letter of Agreement between Port of Brownsville and BISD Adult Continuing Education for participation as a collaborating partner.**

Mr. Campirano addressed the Board requesting approval on Letter of Agreement between Port of Brownsville and BISD Adult Continuing Education for participation as a collaborating partner. BISD representatives also addressed the Board. BISD as a participating member of the BISD Adult Continuing Education Consortium for Cameron County has developed programs for delivery of basic education skills to educationally disadvantaged adults in Cameron County. BISD has approached the Port of Brownsville to participate as a collaborating partner. The Port would support the efforts by providing presentations and tours of the Port and collaborate on workforce

and job skills development. Commissioner Wood moved to approve the Letter of Agreement between the Port of Brownsville and BISD Adult Continuing Education for participation as a collaborating partner, Commissioner Reed seconded, and the motion passed unanimously.

**9. Consideration and Action to acknowledge receipt of the independent audits of the financial statements of the District and the "Retirement Plan for Employees of the Brownsville Navigation District" for Fiscal Year Ended December 31, 2020.**

Ms. Hernandez addressed the Board requesting acceptance of the independent audits of the financial statements of the District and the "Retirement Plan for Employees of the Brownsville Navigation District" for Fiscal Year Ended December 31, 2020. The District's external audit firm, Carr, Riggs and Ingram, LLC, has completed the audits of the District's financial statements and the stand-alone financial statements of the Retirement Plan for Employees of the Brownsville Navigation District (the "Plan") for the Fiscal Year Ended December 31, 2020. The Plan's audited financial report must be submitted to the Texas Pension Review Board. The District's 2020 Annual Comprehensive Financial Report (ACFR) will be submitted for the GFOA's Award Program by the June 30th deadline. Completion of the District's audited report is also needed to comply with annual revenue bond continuing disclosures and federal grant requirements. Commissioner Wood moved to table this Item for further review, Commissioner Reed seconded, and the motion passed unanimously.

**10. Consideration and Action to authorize the BND Director of Engineering Services to execute Receipt and Release Affidavit on Oil Dock #1 Damage Repairs by R.M. Walsdorf, Inc. on behalf of Kirby Inland Marine, L.P.**

Commissioner Reed moved to table this Item, Commissioner Wood seconded, and the motion passed unanimously.

**5. Presentation and discussion by BND Staff to report on a study by HDR Engineering, Inc. of the Cargo Dock #3 Rehabilitation, to report on possible alternatives and a plan of action for reconstruction of the Dock, and to seek direction.**

Mr. Chavez made a presentation to the Board to report on possible alternatives and a plan of action for reconstruction of the Dock. Discussion followed.

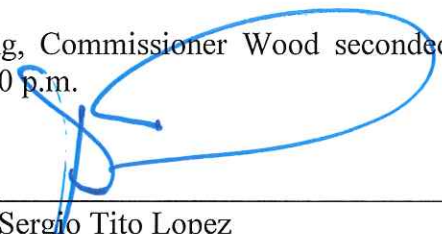
**13. Adjournment.**

Commissioner Reed moved to adjourn the meeting, Commissioner Wood seconded, and the meeting was adjourned by unanimous consent at 7:00 p.m.

ATTEST



Secretary

  
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Sergio Tito Lopez  
Chairman of the Board